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EXAMINER	
LAY, MICHELLE K	

ART UNIT	PAPER NUMBER
2628	

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/658,738	LAMBERT, JARON	
	Examiner	Art Unit	
	Michelle K. Lay	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/06/2006 has been entered.

Response to Amendment

The amendment filed 03/06/2006 has been entered and made of record. Claims 1-33 are pending.

Response to Arguments

Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims **28-30** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 28 recites the limitation "chronologically coincident with another session graphical representations". It is unclear how one session graphical representation can be chronologically coincident with another session since "chronological" refers to arranging in or according to the order of time. Therefore, it is contradictory to arrange two sessions according to time, when both sessions are coincident, i.e. occurring at the same instance of time. Additionally, the written disclosure fails to mention how two sessions can be "chronologically coincident". There is insufficient antecedent basis for this limitation in the claim. Claims 29 and 30 are rejected under 35 U.S.C. 112, first paragraph based on their dependence of claim 28.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims **11** and **12** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Claims 11 and 12 recite *wherein the user-generated input signals represent dropping of a dragged task item at a time location on the time line*", within the preamble, however claims 1 and 2 in which both claims 11 and 12 depend from, fails to initially state this limitation.

Claims **28-30** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 28 recites the limitation "chronologically coincident with another session graphical representations". It is unclear how one session graphical representation can be chronologically coincident with another session since "chronological" refers to arranging in or according to the order of time. Therefore, it is contradictory to arrange two sessions according to time, when both sessions are coincident, i.e. occurring at the same instance of time. There is insufficient antecedent basis for this limitation in the claim. Claims 29 and 30 are rejected under 35 U.S.C. 112, second paragraph based on their dependence of claim 28.

Claim Objections

Claim **7** is objected to because of the following informalities: On line 3, between "associated" and "the", "with" should be placed in between to read properly. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims **1-5**, **7-12**, **14-17**, **24**, and **31-33**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Collado et al. (2002/0069145 A2) in view of "Using Microsoft® Outlook 2002".

Collado teaches the limitations of claims **1-5**, **7-12**, **14-17**, **24**, and **31-33** with the exception of teaching graphically identifying the respective task. However, Microsoft® teaches coloring tasks.

In regards to claim **1**, Collado teaches ***a method for presenting recorded time information of a time accounting system to a user, the method comprising:***

Collado teaches a software system for a appointment calendar system, where the software system utilizes the date, time duration and descriptive appointment for each appointment entry as the starting point for generating time card records for export to an external accounting system (said *time accounting system*) [*Abstract*; [0037]].

a. ***displaying at least one time line;***

Fig. 4C

b. ***displaying, in association with the time line, two or more session graphical representations wherein each of the session graphical representations:***

i. ***represents a respective contiguous block of time spent by a person on a respective one of two or more tasks;***

Fig. 4C, "Meeting @ HACI w\Rafael" 1 hour from 9am-10am; "Order Lunch", 30 min. from 10am-10:30am; "Fred d'escotto @ HACIA", 1 hour from 11-12. Each *task* is indicated as a block spanning the time taken.

ii. ***graphically represents a start time for the respective contiguous block of time in relation to the time line;***

Fig. 4C, the start time is graphically represented as the top border of the block of time, e.g., the top border starting at 9am of the "Meeting @ HACIA w\Rafael" task.

iii. ***graphically represents a stop time for the respective contiguous block of time in relation to the time line; and***

Fig. 4C, the stop time is graphically represented as the bottom border of the block of time, e.g., the bottom border ending at 10am of the "Meeting @ HACIA w\Rafael" task.

c. ***associating a graphical user interface with the session graphical representation;***

Fig. 4B, calendar user interface (14) [0060]. Fig. 5C is a block diagram of the calendar system (32) which includes a calendar user interface (46) [0066].

d. ***receiving user-generated input signals;***

The user selects a given appointment entry using a pointing device [0049].

e. ***modifying a selected one of the session graphical representations in accordance with the user-generated input signals; and***

Fig. 5C is a block diagram of the calendar system (32) which includes a calendar user interface (46) for receiving appointment information necessary to schedule appointments which includes date, start and end time, and description that is stored in database (48).

f. ***preparing a time report from the respective start and stop times of the two or more session graphical representations.***

The system report generator (42) generates global reports, such as a project detail report showing the number of hours billed to the project by each user [Fig. 6A], or an individual summary report for a selected user [Fig. 6C].

Microsoft® teaches

iv. ***graphically identifies the respective task represented by the session graphical representation;***

Appointments can be classified and color-coded. When the calendar is displayed (said *timeline*), the item has the selected color [pg. 205].

Therefore, it would have been obvious to one of ordinary skill in the art to permit the color coding as taught by Microsoft® because the method/system of Collado uses a software system module for a conventional calendar system such as Microsoft Outlook [0036].

In regards to claim **2**, Collado teaches ***wherein each of the session graphical representations includes a start time representation which specifies the start time of the session graphical representation in relation to the time line.***

Fig. 4C, the start time is graphically represented as the top border of the block of time, e.g., the top border starting at 9am of the "Meeting @ HACIA w\Rafael" task.

In regards to claim **3**, Collado teaches ***wherein the stop time of at least one of the session graphical representations is represented by the start time representation of another of the session graphical representations.***

Fig. 4C, the stop time of "Meeting @ HACIA w\Rafael", i.e. 10am, is also the start time of "Order lunch". Thus the stop time of "Meeting @ HACIA w\Rafael" is represented as the bottom line of the block of time spanning from 9am-10am, where the bottom line is also the top line of the block of time spanning from 10am-10:30am for "Order lunch".

In regards to claim **4**, Microsoft® teaches ***wherein the method further comprising creating a new instance of the session graphical representations with a first time representation associated with the time location.***

Microsoft® teaches creating a new appointment (said *new instance*) by pointing onto the time segment at which the appointment is to start and then dragging the bottom line of the time box to the stop time [pg. 198-199]. The top line of the

time block represents the start time. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claim **5**, Microsoft® teaches ***wherein the first time representation is the start time representation of the new instance of the session graphical representations.***

Microsoft® teaches creating a new appointment (said *new instance*) by pointing onto the time segment at which the appointment is to start and then dragging the bottom line of the time box to the stop time [pg. 198-199]. The initial line, i.e. top line of the time block represents the start time. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claims **7-9**, Microsoft® teaches ***receiving user-generated drag signals with represent a drag user-interface event; creating a second time representation associated the new instance of the session graphical representations in accordance with the drag signals; and where the first and second time representation are the start and stop time representations.***

Microsoft® teaches creating a new appointment (said *new instance*) by pointing onto the time segment at which the appointment is to start and then dragging the bottom line of the time box to the stop time (said *second time representation*) [pg. 198-199]. The top line of the time block represents the start time and the bottom line represents the stop time. Furthermore, the user can modify the stop time by

again, moving the bottom line of the time box to a new location along the time line. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claim **10**, Microsoft® teaches ***swapping positions of the first and second time representations***.

Although not explicitly taught, it is well known in the art that the user can also alter the start time by dragging the top line of the time block to the location he/she desires. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claim **11**, Microsoft® teaches ***wherein the user-generated input signals represent dropping of a dragged task item at a time location on the time line, the method further comprising creating a new instance of the session graphical representations whose start time representation is associated with the time location.***

The user can drag the appointment or event to another day [chpt. 9 § *Making Changes to Appointments and Events*]. Although not explicitly disclosed, it is implicit that the user uses an input device, such as a mouse, in order to drag the appointment or event. Additionally Microsoft® teaches creating a new appointment (said *new instance*) by pointing onto the time segment at which the appointment is to start and then dragging the bottom line of the time box to the

stop time [pg. 198-199]. The initial line, i.e. top line of the time block represents the start time. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claim **12**, Microsoft® teaches ***wherein the user-generated input signals represent a dragging of a start time representation of a selected one of the session graphical representations, the method further comprising moving the start time representation in accordance with the user-generated input signals.***

The user can drag the appointment or event to another day [chpt. 9 § *Making Changes to Appointments and Events*]. Although not explicitly disclosed, it is implicit that the user uses an input device, such as a mouse, in order to drag the appointment or event. Furthermore, it would be obvious, to one of ordinary skill in the art that the start time is also moving along with the block of time appointed to the appointment and date, where the start time is indicated as the top line of the representation of the block of time. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claims **14-16**, Microsoft® teaches ***wherein each of the session graphical representations includes a task representation which identifies the task of the session graphical representation; the task representation extends between the start and stop times; and the task representation identifies the task by color.***

Microsoft® teaches classifying and coloring appointments. The item has the selected color as its background [pg. 205]. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claim **17**, Microsoft® teaches ***modifying the task representation of the selected session graphical representation to identify the selected task.***

Microsoft® teaches modifying the appointment by double clicking the appointment which allows the user to modify the information via the Appointment/Event form. As shown in Fig. 9.5, from the drop down menu, the user can alter the label. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claim **24**, Microsoft® teaches ***deleting the selected session graphical representation.***

Microsoft® teaches deleting appointments and events by clicking the delete button [chpt. 9 § *Making Changes to Appointments and Events*]. The same rationale for combining references as applied to claim 1 is incorporated herein.

In regards to claim **31**, Collado and Microsoft® teaches ***the time line represents one day divided into uniform units of time.***

Referring to Fig. 4C of Collado, the time line is divided into 30 minutes units of time, starting at 8am-11:30pm.

Additionally, Microsoft® teaches the time line divided into 30 minute units of time, as shown in Fig. 9.4, where the time units can be alter via the drop down menu titled "Time Scale" in Fig. 9.3.

In regards to claim **32**, claim 32 recites the same limitations as claim 1. Therefore, the same rationale used for claim 1 is applied. Furthermore, Collado teaches the method/system is a software system [0069]. Additionally, Microsoft® Outlook 2002 is a computer program that is implemented on a personal computer.

In regards to claim **33**, claim 33 recites the same limitations as claim 1. Therefore, the same rationale used for claim 1 is applied. Furthermore, Collado teaches the system software can be installed on a portable device (56) or a desktop device (58) [0075-0077]. Although Collado does not explicitly teach a processor or memory, it would have been obvious to one of ordinary skill in the art that in order for the system software of Collado to function, a computer of some type with a memory to store the software and a processor to administer the instructions pertaining to the software, is implicit.

2. Claims **25-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Collado et al. (2002/0069145 A2) in view of "Using Microsoft® Outlook 2002" as applied to claims 1-5, 7-12, 14-17, 24, and 31-33 above, and further in view of Goyal et al. (5,873,108).

Collado in view of Microsoft® teaches the limitations of claims **25-27** with the exception of disclosing a note representation. However, Goyal teaches a method/system for a personal information manager with a calendar. A notes facility is provided within the personal information manager. A note associated with an entry may be entered by selecting a field within column (313) of Fig. 3. A screen display such as that of Fig. 8 is then displayed, providing a window in which additional text may be entered. The user, when finished entering text, touches the OK button. The screen display of Fig. 8 is then closed, and a marker is displayed within the notes field to indicate the existence of a note [col. 7, lines 54-65]. Additionally, Microsoft® teaches a notes box for the user to add more information about the selected appointment/event [pg. 200].

Therefore, it would have been obvious to one of ordinary skill in the art to include the notes facility of Goyal with the teaches of Collado in view of Microsoft® because the note indication provides a quick indication to the user that a note or additional information is associated with the appointment/event.

3. Claims **13** and **19-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Collado et al. (2002/0069145 A2) in view of "Using Microsoft® Outlook 2002" as applied to claim **1-5**, **7-12**, **14-17**, **24**, and **31-33** above, and further in view of Levinson (6,381,580 B1).

Collado in view of Microsoft® teaches the limitations of claims **13** and **19-21** with the exception of disclosing moving coincident tasks and altering the state of the task.

However, Levinson teaches an automatic planning and cueing method/system where the user's schedule is automatically moved around to adjust to changes and marking the task completed.

In regards to claim **13**, Levinson teaches ***further comprising:***

a. ***determining that the start time representation of the selected session graphical representation as moved is coincident with a start time representation of a second one of the session graphical representations; and***

Levinson teaches a method/system for automatic planning. As shown in Figs. 4 and 5, the planning system (70) of Levinson includes a calendaring system (72) associated with a calendar assistant (74) and calendar editor (76) [col. 8, lines 37-45]. The planner (84) determines if there are any conflicts and therefore, based on priority, adjusts the schedule to avoid conflicts [col. 9, line 27 – col. 10, line 7; col. 11, line 55 – col. 12, line 35].

b. ***moving the start time representation of the second session graphical representation to avoid being coincident with the start time representation of the selected graphical representation as moved.***

Although Levinson does not explicitly teach moving the start time of the second session in order to avoid conflict with the first session, it is implicit that the planning system (70) alters the times based on the determination of the planner (84) to avoid conflicts.

Therefore, it would have been obvious to one of ordinary skill in the art to include the planner of Levinson to avoid conflicts within the system of Collado in view of Microsoft® because the automatic adjustment of the schedule helps juggle the schedule of the user around unexpected events or surprises [Levinson: col. 10, lines 28-34].

In regards to claim **19**, Levinson teaches ***further comprising modifying a selected one of the session graphical representations from an unapproved state to an approved state in response to the user-generated input signals.***

As shown in Fig. 12 of Levinson, the user can check a task when completed, i.e., a check mark placed at "Wake Up" task [col. 15, lines 4-12].

Additionally, Microsoft® teaches to-do lists where the user can mark a task complete [chpt. 11 § *Managing Tasks*].

Therefore, it would have been obvious to one of ordinary skill in the art to alter the states of tasks so that the user, or anyone monitoring the schedule knows when a task has been completed.

In regards to claim **20** and **21**, Levinson teaches ***displaying, in association with the time line, a current time representation, and further moving the current time representation such that it continues to represent the current time as time passes.***

As shown in Fig. 23, a time line is presented along where a progression bar indicates time.

It would have been obvious to one of ordinary skill in the art to include the progression bar within Collado in view of Microsoft® in order to provide to the user an easy and efficient means of displaying of the time.

4. Claims **22** and **23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Collado et al. (2002/0069145 A2) in view of "Using Microsoft® Outlook 2002" in view of Levinson (6,381,580 B1) as applied to claim **1-5**, **7-17**, **19-21**, **24**, and **31-33** above, and further in view of Majd et al. (2003/0212586).

Collado Microsoft® Levinson teaches the limitations of claims 22 and 23 with the exception of disclosing creating a new task with the current time. However, Majd teaches managing a task of a project that allows the user to create new tasks. Referring to Fig. 3 of Majd, the user can create a new task (step 370) where the current time is recorded as the start time for the new event (step 345) [0042].

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the creation of the new task with the current time as the start time as taught by Majd with the invention of Collado Microsoft® Levinson so that if new or unexpected tasks/appointments/events arise, as taught by Levinson [col. 10, lines 1-5], the system accommodate for changes, as well as document and record the day's history.

5. Claims **6** and **18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Collado et al. (2002/0069145 A2) in view of "Using Microsoft® Outlook 2002" as applied

to claim **1-5**, **7-12**, **14-17**, **24**, and **31-33** above, and further in view of Williams et al. (5,491,626).

Collado in view of Microsoft® teaches the limitations of claim 6, with the exception of disclosing the new task is pre-selected. However, Williams teaches predefined tasks associated with attributes that are dragged and dropped into the calendar [col. 2, line 57 – col. 3, line 20].

Therefore, it would have been obvious to one of ordinary skill in the art to have predefined tasks of Williams in order to reduce the redundancy of specifying the same task within Collado in view of Microsoft®.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle K. Lay whose telephone number is (571) 272-7661. The examiner can normally be reached on Monday through Thursday from 7:30am to 5:00pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee M. Tung, can be reached at (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michelle K. Lay
Patent Examiner
Division 2628
04.21.2006 mkl

PATENT EXAMINER

Kee M. Tung
Primary Examiner